

Federal Defenders OF NEW YORK, INC.

Southern District
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June 21, 2023

VIA ECF and Email

The Honorable Richard Berman
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: United States v. Jaylen Martinez
22 Cr. 668 (RMB)

Dear Judge Berman,

I write with the consent of the government to respectfully request an adjournment of Mr. Martinez's status conference, currently scheduled for June 27, 2023. Mr. Martinez recently underwent surgery at St. Barnabus Hospital to correct a [REDACTED].¹ He was discharged on May 26, 2023, and is currently at home recuperating. Unfortunately Mr. Martinez is having post-surgical complications and has been directed by his surgeon to remain at home and off his feet. Mr. Martinez is having great difficulty ambulating. An adjournment would allow Mr. Martinez sufficient time to recover before he has to appear in court.

Mr. Martinez is currently under the supervision of Pretrial Services and is in compliance with the mandates of both Pretrial and the Court. Mr. Martinez's bail conditions were recently loosened; his ankle monitor was removed and he was placed on a curfew. Mr. Martinez is participating in services at the Emma Bowen/Upper Manhattan Mental Health Center Addiction Treatment Services. Our office has been in regular communication with his counselor, Mr. Kevin Wright, who reports that Mr. Martinez participates in all programming both in-person and

¹ Our office has requested updated medical records from St. Barnabus and can provide the Court with further information upon receipt of those records.

remotely. Mr. Martinez has also met with a retained expert, Dr. Patrice Francois, who is currently preparing mitigation materials in order to provide a comprehensive diagnostic assessment of Mr. Martinez.

Thank you for your consideration of this request. My understanding, from communications with the Court, is that the Court is available on August 1, 2023. Both parties are available on that date.

The defense does not object to the exclusion of time until the next status conference.

Respectfully submitted,



Tamara L. Giwa
Counsel for Jaylen Martinez
Federal Defenders of New York
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cc: AUSA Patrick Moroney (via ECF)

Conference is adjourned to 8/1/23 at
10:00 am. Time is excluded pursuant to
the Speedy Trial Act for the reasons set
forth in this letter.

SO ORDERED:

Date: 6/22/23



Richard M. Berman, U.S.D.J.